

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF EXAMINERS FOR NURSING CARE INSTITUTION ADMINISTRATORS AND ASSISTED LIVING FACILITY MANAGERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 33, Board of Examiners for Nursing Care Institution Administrators and Assisted Living Facility Managers
Articles and their headings: 1, General
2, Nursing Care Institution Administrator Licensing
4, Assisted Living Facility Manager Certification
Section numbers: R4-33-104, R4-33-205, and R4-33-405 (The Board will amend, repeal, or add new Sections as necessary.)
2. **The subject matter of the proposed rules:**
The Board is reorganizing its fee rules by repealing the fees for Nursing Care Administrator Licensing in Article 2 and Assisted Living Facility Manager Certification in Article 4, and placing them in Article 1. The Assisted Living Facility Manager (formerly called Adult Care Home Manager) fees have not been increased since the fee rules for Assisted Living Facility Managers were first established in 1991. The Nursing Care Institution Administrator fees have not been increased since 1992. In order to continue its licensing and oversight functions, the Board has determined that it must increase its fees for Nursing Care Administrator Licensing and Assisted Living Facility Manager Certification.
3. **A citation to all published notices relating to the proceeding:**
Not applicable
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Victoria Martin, Executive Director
Address: Board of Examiners for Nursing Care Institution Administrators and Assisted Living Facility Managers
400 W. Washington
Phoenix, AZ 85007
Telephone: (602) 542-8156
Fax: (602) 542-8316
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will continue to accept written comments at the location listed in item #4 between 8:00 a.m. and 5:00 p.m. Monday through Friday, until the close of record. The Board will schedule oral proceedings, within the statutory mandated time-frame, which will be noticed by publication in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None

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DEPARTMENT OF REVENUE

TRANSACTION PRIVILEGE AND USE TAX SECTION

1. **Title and its heading:** 15, Revenue
Chapter and its heading: 5, Department of Revenue
Transaction Privilege and Use Tax Section
Article and its heading: 1, Retail Classification
Section number: R15-5-156
2. **The subject matter of the proposed rule:**
The amended rule will provide guidance for the transaction privilege tax exemption of gross receipts from sales of prescription drugs and prosthetic appliances.
The agency docket number:
03-5-06
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Hsin Pai, Analyst
Address: Tax Policy Office, Tax Policy and Research Division
Arizona Department of Revenue
1600 W. Monroe
Phoenix, AZ 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None

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DEPARTMENT OF INSURANCE

1. **Title and its heading:** 20, Commerce, Banking, and Insurance
Chapter and its heading: 6, Department of Insurance
Article and its heading: 17, Transaction of Insurance
Section number: R20-6-1702
2. **The subject matter of the proposed rule:**
The director intends to amend R20-6-1702 to be consistent with A.R.S. § 20-156(A), the statutory authority for that Section. The Arizona Legislature revised A.R.S. § 20-156(A) in 2001 to change the requirement for frequency of examination of insurers from not less than once every "three" years to at least once every "five" years. R20-6-1702 will be revised to make that same change.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Margaret L. McClelland
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Department will accept written comments during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule oral proceedings, within the statutorily mandated time-frame, to be noticed in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Department expects to file a Notice of Proposed Rulemaking by the end of the 3rd quarter of 2003.